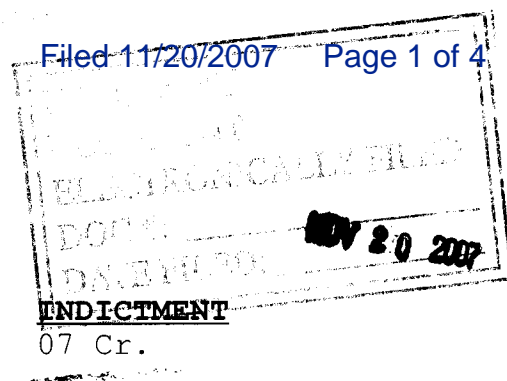


UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK



- - - - - X

UNITED STATES OF AMERICA :

- v. - :

GREGORY DANIEL, :

Defendant. **07 CRIM 1059** :

- - - - - X

COUNT ONE

1. From at least in or about May 2004, through and including at least in or about September 2004, in the Southern District of New York and elsewhere, GREGORY DANIEL, the defendant, and others known and unknown, unlawfully, willfully, and knowingly, did combine, conspire, confederate, and agree together and with each other to commit an offense in Chapter 63 of Title 18, United States Code, to wit, a violation of Title 18, United States Code, Section 1344.

2. It was a part and an object of the conspiracy that GREGORY DANIEL, the defendant, and others known and unknown, unlawfully, willfully, and knowingly did execute and attempt to execute a scheme and artifice to defraud a financial institution, the deposits of which were then insured by the Federal Deposit Insurance Corporation, and to obtain the moneys, funds, credits, assets, securities, and other property owned by and under the custody and control of, such financial institution, by means of false and fraudulent pretenses, representations and promises, in violation of Title 18, United States Code, Section 1344.

3. In furtherance of the conspiracy and to effect the illegal object thereof, the following overt acts, among others, were committed in the Southern District of New York and elsewhere:

a. In or about July 2004, GREGORY DANIEL, the defendant, stole a check for approximately \$14,438.69, which was written from his employer to another company.

b. On or about August 11, 2004, a co-conspirator not named as a defendant herein ("CC-1"), deposited a check that did not belong to him at a bank branch located in New York, New York.


(Title 18, United States Code, Section 1349.)

COUNT TWO

4. From at least in or about May 2004, through and including at least in or about September 2004, in the Southern District of New York and elsewhere, GREGORY DANIEL, the defendant, unlawfully, willfully, and knowingly did execute, and attempt to execute, a scheme and artifice to defraud a financial institution, the deposits of which were then insured by the Federal Deposit Insurance Corporation, and to obtain the moneys, funds, credits, assets, securities, and other property owned by, and under the custody and control of, such financial institution, by means of false and fraudulent pretenses, representations, and promises, to wit, DANIEL stole checks from his employer, and then provided them to other individuals who deposited the stolen

checks into an account at Fleet Bank and thereafter withdrew the proceeds of those checks.

(Title 18, United States Code, Sections 1344 and 2.)

  
FOREPERSON

  
MICHAEL J. GARCIA  
United States Attorney

Form No. USA-33s-274 (Ed. 9-25-58)

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

**UNITED STATES OF AMERICA**

**- v -**

**GREGORY DANIEL**

**Defendant.**

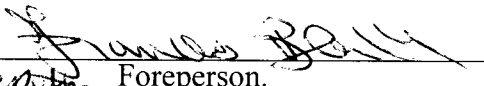
**INDICTMENT**

07 Cr.

(18 U.S.C. §§ 1349, 1344, and 2)

MICHAEL J. GARCIA  
United States Attorney.

**A TRUE BILL**

  
Deputy Foreperson.

Post-It 11/1/87

11/20/07- File Indictment. Case  
Assigned to Judge Jones for all  
purposes. Arrest Warrant  
Issued. So Ordered.

*S. Eaton, Jr. U.S.M.G.*